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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,807	09/26/2001	Roger Lee Buis	IBMN.027US01 (0525)	1170
7590	02/24/2006		EXAMINER	
Chambliss, Bahner & Stophel, P.C. 1000 Tallan Building Two Union Square Chattanooga, TN 37402			QIN, YIXING	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/963,807	BUIS ET AL.	
	Examiner	Art Unit	
	Yixing Qin	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 November 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-29 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 18 January 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/02, 3/24/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION***Response to Amendment***

In response to applicant's amendment received 11/28/05, all requested changes have been entered.

Response to Arguments

Applicant's arguments, filed 11/28/05 with respect to the rejection(s) of claim(s) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of an XSL Example

(<http://www.comptechdoc.org/independent/web/xml/guide/xslexample.html>). The printout from the website has various parts of the code cut out due it being too long to be printed, so the Examiner has included a text version as well. There is no date on this particular webpage, but the use of XML and XSL code has been known since the late 1990s.

The Examiner would like to point out that even though the background of the applicant's specification addresses the need for something to improve upon existing stylesheets, such as XSL, the claim language do not distinguish the invention from an XSL stylesheet – which is essentially a formatting template for an XML file. It is true the Brooke reference does not go into the details of various tags and matching of tags and formatting, the XSL stylesheet code works in such a way that there is matching of tags and formatting of various parts of the XML

files according to the matched tags. Please see the rejection below for more detail.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooke et al (U.S. Patent No. 6,763,343 – “Brooke”) in view of XSL Example (<http://www.comptechdoc.org/independent/web/xml/guide/xslexample.html> - “XSL Example”).

1. **Claim 1**

- Regarding claim 1, Brooke et al discloses in column 3, lines 17-20 and column 6, lines 10-31 a description of how XSL is a formatting template for an XML file. Brooke does not disclose any XSL code and thus does not disclose the various tags as claimed. However, the secondary reference, XSL Example discloses an XSL stylesheet file under the heading “The XML Style File.” One can see in, for example, the code line <xsl:template match = “TITLE”> (or TITLE1, LIST1, TITLE2, LIST2) that the qualified tag of TITLE is what is being searched and matched to apply a formatting to that particular XML element. One can see the formatting in the next line of code as describing the font size, color, weight, etc.
- Both Brooke and XSL Example are in the art of formatting an XML document. The XSL Example expands on the XSL stylesheet as mentioned in Brooke by providing an example so that the various tags and formatting attributes can be seen. Therefore, it would have been obvious for one of ordinary skill in the art at the time of invention to combine the two references because the XSL example provides more information on

the XSL stylesheet as mentioned by Brooke. The motivation would be to allow an user to see exactly how one can go about formatting an XML file.

2. Claims 2, 11

- The XSL stylesheet of XSL Example is a document parser.

3. Claim 3, 12

- Regarding claim 3, Brooke discloses in column 9, lines 23-34 that the hierachal database format for searching is method of storing data that would require tags being traversed to get to a particular element. The XSL Example code effectively traverses the XML code since it needs to fine the matched item such as TITLE or TITLE1.

4. Claim 4, 13

- Brooke at al discloses in column 6, line 38-47 that the XSL processor uses the XSL stylesheet to format the XML file. The qualified tag, as mentioned before in the XSL Example would be the TITLE tag, which one can see from the code would identify the formatting instructions for the TITLE element of the XML file.

5. Claims 5, 6, 14, 15

- Brooke discloses in column 6, lines 50-54 that the "templates for the particular source elements that are part of the tree" could represent both qualified tags and start tags being, which are being generated and modified as elements are added to the tree.

6. Claims 7, 9, 16, 18, 23, 28

- Brooke at al discloses in column 6, lines 16-21, that XSL stylesheets can format XML files. The XSL file which contains data to "express how the structured content of the of an XML file should. be styled, laid out, and paginated," is a method of parsing elements and processing them. One can see the various attributes used in processing such as font type, size, color, weight, etc.

7. Claims 8, 17

- One can see in the XML Example that the <> act as delimiters.

8. Claims 10, 19, 24 and 29

- The Examiner takes official notice on the first three limitations that there is a spooler, a PSF (essentially a print driver) and a printer for printing. These are common aspects of any printer environment. The XSL stylesheet processor of Brooke (column 6, lines 38-47) can be thought of as a PSF because it facilitates the formatting of an XML file using XSL.

- Regarding claims 19 and 24, the XSL stylesheet can parse the XML file and one knows that the XSL stylesheet has to have been generated, e.g. by a programmer.
- The last limitation has been addressed in claim 1.

9. Claims 20, 21, 25, 26

- As mentioned above, Brooke et al discloses in column 6, lines 16-21, that XSL stylesheets can format XML files. The XSL stylesheet is used to parse the XML document. Although these two claims are not explicitly disclosed, the Examiner would like to point out that the goal of the XSL stylesheet is to parse the XML file by going through it and looking for the appropriate tag. Thus, the parsing of elements until an end of document is reached is an inherent feature in this environment since the entire XML file has to be parsed and processed according to an XSL file that is looking for which tags in the XML file to process.

10. Claim 22, 27

- One can see in Fig. 2 of Brooke that at step 212, the document is outputted, which could be to a printer.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YQ


Edward Coles
Supervisory Patent Examiner